

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (currently amended): *Lactuca sativa* seed designated as Pacer having ATCC Accession Number [[\_\_\_\_\_]] PTA-4010.

Claim 2 (original): A *Lactuca sativa* plant produced by growing the seed of claim 1.

Claim 3 (original): A *Lactuca sativa* plant having all the physiological and morphological characteristics of the *Lactuca sativa* of claim 2.

Claim 4 (canceled).

Claim 5 (original): Pollen of the plant of claim 2.

Claim 6 (original): An ovule of the plant of claim 2.

Claim 7 (currently amended): [[Tissue]] A tissue culture of the plant of claim 2.

Claim 8 (original): A method of selecting *Lactuca sativa*, comprising  
a) growing more than one plant from the seed of claim 1  
b) selecting a progeny plant from step a) wherein said progeny plant is phenotypically distinguishable from the parent plant.

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Claim 9 (canceled).

Claim 10 (canceled).

Claim 11 (new): A method of making an  $F_1$  hybrid lettuce plant consisting of crossing Pacer as a first lettuce parent plant with a second lettuce parent plant, wherein Pacer is grown from the seed of claim 1; harvesting the resultant  $F_1$  hybrid seed; and growing an  $F_1$  hybrid seed into an  $F_1$  hybrid lettuce plant.